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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,067	12/31/2001	Hiroshi Hata	217671US3	5638

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EXAMINER

WRIGHT, DIRK

ART UNIT PAPER NUMBER

3681

DATE MAILED: 04/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/032,067

Applicant(s)

HATA ET AL.

Examiner

Dirk Wright

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21-33 is/are allowed.
- 6) ☒ Claim(s) 1-6, 18, 34, 35 and 37 is/are rejected.
- 7) ☒ Claim(s) 7-17, 19, 20, 36 and 38-41 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03282005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 18, 34, 35, and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 2000-343964A. The Japanese patent shows in figure 18 an arrangement that looks very similar to applicant's figure 1. The Japanese patent shows in figure 18 an internal combustion engine 150, an electric motor 140, a generator 240 with a fixed stator 244, a synthesizing planetary transmission 230, with a sun gear 231 connected to the generator, a carrier 233 connected to the engine, and an output taken from a ring gear 232. The patent further shows a speed increasing planetary transmission 200 for the electric motor 140, which includes a ring gear 204 connected to the motor, a carrier 203 connected to the synthesizing transmission's ring gear 232, and a sun gear 201 selectively braked to a housing by brake 220. The term "fixed" has been given the broadest reasonable interpretation to include selectively braked. The motor 140 and the generator 240 are coaxial yet axially spaced, and the space between them is occupied by the synthesizing and reduction transmissions 230 and 200, respectively.

Allowable Subject Matter

Claims 21-33 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art does not anticipate nor render obvious the invention of a transmission and drive arrangement for a hybrid vehicle wherein a first ring gear is connected to the engine, in combination with all of the other

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features of claim 21, or the first and second ring gears are rotatably held by a first holding member, in combination with all of the other features of claim 22, or a wound transmission member made to run on the output member of the synthesizing mechanism and wherein a decelerating planetary gear mechanism is arranged concentrically with the intermediate rotary member, in combination with all of the other features of claims 32 or 33.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claims 7-17, 19, 20, 36, and 38-41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art does not anticipate nor render obvious the invention as recited in claim 6 with the additional feature of the electric motor being connected to the second sun gear, or the additional feature of a first holding member for holding the first and second ring gear, or the invention as recited in claim 1 with the additional feature of a rotary member offset in the radial direction with respect to the output shaft of the electric motor and connected to the engine, or with the additional features of a wound transmission member made to run on the output member of the power synthesizing mechanism and a decelerating planetary gear mechanism arranged concentrically with the intermediate rotary member or the invention as recited in claim 35 with the additional feature of the first sun gear connected to the electric motor, the first carrier held by

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the fixing mechanism and the first ring gear connected to an output member, or the invention as recited in claim 37 with the additional feature of the second ring gear connected to the first ring gear.

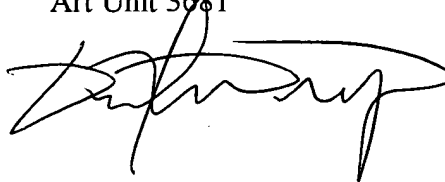
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dirk Wright whose telephone number is 571-272-7098. The examiner can normally be reached on Monday through Friday, 8AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on 571-272-7095. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dirk Wright
Primary Examiner
Art Unit 3681



DW
Saturday, April 09, 2005